

591—12.6(455G) Guaranteed loan program—general provisions.

12.6(1) Calculation of the net worth requirement shall include all the assets and liabilities of the business entity and all equity of other assets of the owner(s) and shall be calculated using the fair market value of the tank site(s) and all equity of other net assets of the owner(s).

a. “Fair market value” is defined as the price at which an asset passes from a willing seller to a willing buyer through an arm’s-length transaction. It is assumed that both the seller and the buyer are rational and have a reasonable knowledge of relevant facts.

b. When determining net worth, the fair market value of a site eligible for benefits pursuant to Iowa Code section 455G.9 shall include an adjustment for anticipated benefits pursuant to that section.

12.6(2) Financial institutions are prohibited from selling UST fund guaranteed loans to other financial institutions.